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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/710,638	07/27/2004	David R. Hall	66.0055	4637

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EXAMINER

EDWARDS JR, TIMOTHY

ART UNIT	PAPER NUMBER
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2612

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/710,638

Applicant(s)

HALL ET AL.

Examiner

Timothy Edwards, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 33-37 is/are allowed.
- 6) ☒ Claim(s) 1-23 and 26-32 is/are rejected.
- 7) ☒ Claim(s) 24 and 25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4,7,10,12-14,18,19,21,23,28-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Patterson, Jr. '011.

Considering claim 1, Patterson discloses a well logging telemetry system comprising a) a surface control unit comprising executable code (see col 6, lines 2-8); b) a downhole tool string component comprising volatile memory (see col 6, lines 9-12); c) a downhole network (see col 4, line 55 to col 5, line 53 and fig 1); d) executable code is transmitted from the surface control unit and stored in volatile memory (see col 6, lines 12-20 and col 8, lines 23-30).

Considering claim 2, Patterson discloses the limitation of this claim (see col 4, lines 63-67 and col 7, line 65 to col 8, line 8).

Considering claim 3, Patterson discloses the limitation of this claim (see col 6, lines 21-29).

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Considering claim 4, Patterson discloses the limitation of this claim (see fig 1, item 16).

Considering claim 7, Patterson discloses the limitation of this claim (see col 7, lines 10-26).

Considering claims 10,12-14 Patterson discloses the limitations of these claims (see col 7, lines 65-68).

Considering claim 18, Patterson discloses the limitation of this claim (see col 7, lines 65-68 and fig 1, item 30).

Considering claims 19,21 the limitations of these claims are interpreted and rejected as stated in claim 18.

Considering claim 23, Patterson discloses the limitation of this claim (see col 6, lines 9-18 and col 8, lines 23-30).

Considering claim 28, the limitation of this claim is interpreted and rejected as stated in claim 3.

Considering claim 29, the limitation of this claim is interpreted and rejected as stated in claim 4.

Considering claims 30,31 the limitations of these claims are interpreted and rejected as stated in claims 12 and 13.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5,6,8,9,11,15-17,20,22,27,32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patterson, Jr.

Considering claims 5, 6, Patterson does not specifically recite the use of single port or dual-port RAM memory. Patterson teaches the use of RAM memory. Therefore, it would have been obvious to one of ordinary skill in the art to use any type of known RAM memory in the Patterson system because RAM memory would function the same whether it was single port or dual-port RAM memory.

Considering claims 8, 9, Patterson does not specifically recite the use of a network interface modem associated with his downhole tools. Patterson discloses the use of cable communication control circuit to controls communication in the Patterson system. One of ordinary skill in the art would readily recognize the use of a modem is well

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known in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the Patterson cable communication control circuit to include a modem because the use of a modem is well known in the art.

Considering claims 11,27,32 the limitation of this claim is interpreted and rejected as stated in claims 8 and 9.

Considering claims 15-17, Patterson does not specifically recite the transmission of data a rate faster than 20 kilobits, 1 megabits or 10 megabits per second. However, Patterson discloses the use of a wire line (cable) to transmit data. One of ordinary skill in the art recognizes data can be transmitted at a very fast rate using a wire line. Therefore, it would have been obvious to one of ordinary skill in the art the Patterson system has the capability of transmitting data at a high data rate because Patterson discloses the use of a wire line to transmit data and it is known in the art data transmitted over a wire line maybe transmitted at a very high data rate.

Considering claim 20 Patterson does not specifically recite the data transmission element comprises a magnetically conducting electrically insulating material is ferrite. However, Patterson discloses the use of a wire line (cable) to transmit data. One of ordinary skill in the art readily recognizes wire line used in the well bore environment is magnetically conducting and electrically insulated. Therefore, it would have been

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obvious to one of ordinary skill in the art to use any material, which has the properties of magnetically conducting electrically insulating material.

Considering claim 22 Patterson does not specifically recite the downhole network of his system is capable of transmitting power signals. Patterson does recite any means of delivering power to his downhole components. One of ordinary skill in the art recognizes the transmission of power signals to components within a downhole network is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the Patterson system to use any desirable means to deliver power to components, which require power.

Allowable Subject Matter

5. Claims 33-37 are allowed.
6. Claims 24 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
7. The following is a statement of reasons for the indication of allowable subject matter: in the environment of loading data into a downhole memory. Patterson (prior art of record) fails to teach or suggest, "reading by the processor from boot memory to

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retrieve an executable code from the surface control unit or requesting by the processor the executable code from the surface control unit.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. MacLeod '325 teaches send data from a surface system and storing the sent data in RAM memory. Labored '082 teach the use of modems in a downhole system and transmitting data and power via a wire line.

Any inquiry concerning this communication should be directed to Examiner Timothy Edwards, Jr. at telephone number (571) 272-3067. The examiner can normally be reached on Monday-Thursday, 8:00 a.m.-6:00 p.m. The examiner cannot be reached on Fridays.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber, can be reached at (571) 272-7308.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-4700, Mon-Fri., 8:30 a.m.-5:00 p.m.

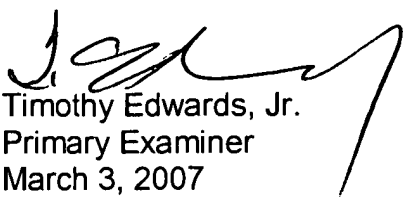
Any response to this action should be fax to:

(571) 273-8300 (for formal communications intended for entry).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

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information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov> or contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Timothy Edwards, Jr.
Primary Examiner
March 3, 2007